



IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Joseph A. Kaiser Jr. Examiner: Kenneth B. Wells
Serial No.: 10/698,299 Group Art Unit: 2816
Filing Date: October 31, 2003
Title: High-Resolution Variable Attenuation Device
Docket No: LTXL-126 (56335-026)

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date: 4/28/05

Weiguo Chen
Weiguo Chen

Mail Stop: Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the restriction requirement dated December 14, 2004 for the above-identified application, Applicant elects, without traverse, to prosecute species A (claims 1-28) corresponding to FIG.1. Applicant reserves the right to prosecute one or more separate applications with claims directed to species B corresponding to FIG.9 and species C corresponding to FIG.10.

If there are any questions regarding the election, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

05/02/2005 RFEKADU1 00000017 10698299

01 FC:1254

1590.00 OP

A check in the amount of \$1590.00 is enclosed herewith for the Fee of Extension for Response. No additional costs are believed to be due in connection with the filing of this paper. However, the Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to our Deposit Account No. 50-1133.

Dated: 4/27/05

Respectfully submitted,

Mark G. Lapping, Reg. No. 26,618
McDermott Will & Emery LLP
Customer No. 23630
28 State Street
Boston, MA 02109
Telephone: (617) 535-4043
Facsimile: (617) 535-3800